



VBA TODAY

V E T E R A N S B E N E F I T S A D M I N I S T R A T I O N

MARTIN LUTHER KING JR. DAY 2011



This month we honor Dr. Martin Luther King, Jr. and his legacy of civil rights. Dr. King's commitment to equality and his belief that "all men are created equal" inspired an entire generation. Though his work is not finished, we commemorate his vision each year by celebrating how far we, as a nation, have come, and assess how far we still have to go to embody the America Dr. King believed in. These words, spoken 46 years ago by Dr King in his *American Dream* speech seem even more appropriate today, "...through our scientific genius we have made of this world a neighborhood, and now through our moral and ethical commitment, we must make of it a brotherhood. We must all learn to live together as brothers or we will all perish together as fools. This is the challenge of the hour."

REGIONAL OFFICES PARTNER WITH VETERAN COURTS

A new trend developing in the U.S. Court System is the creation of Veteran Treatment Courts. Modeled after existing drug courts, the mission of these new courts is to "... successfully rehabilitate veterans¹." An increasing number of Veterans appearing before the court have mental



health and/or substance abuse issues, and this prompted the establishment of the first Veteran Treatment Court in Buffalo, New York in January 2008². Judge Robert Russell spearheaded the effort to establish the new court, and his efforts have not only produced an exemplary program in Buffalo, but has also spawned the development of similar courts across the country.

While each jurisdiction creates its own

eligibility criteria, in Buffalo, Veterans charged with felony or misdemeanor non-violent crimes are eligible for Veterans Treatment Court. The court developed a screening process to identify Veterans who would benefit from this program, though participation is voluntary. Program participants undergo a judicially supervised treatment plan, and upon successful completion of the program, some will have their charges dismissed, while others are assured of a probationary sentence³.

One of the details of this program that differentiates it from a regular drug or mental health court is the use of Veteran mentors. The mentor's role is to provide support throughout the treatment program, and they have played a large role in keeping court staff apprised of any issues the Veteran participant is experiencing. Having a mentor who is also a Veteran has had a positive impact on those participating in the program. Veterans participating in the Vet-

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eran Treatment Court program appear to be more relaxed when talking to other Veterans, and subsequently the program has a bigger impact on the life of the Veteran participant⁴.

Judge Russell's court has a wealth of resources to



draw from, and VA plays a critical role in assisting the court, and its Veteran partici-

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VETERANS COURTS

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pants in accessing the help they need. Two Veteran Services Representatives (VSR) from the Buffalo VA Regional Office (RO) attend each court session, providing the court with information on benefits eligibility for each participant, as well as providing one-on-one benefits counseling for Veterans enrolled in the court's program. The VSRs also assist Veterans with filing initial claims and claims for increases if needed. Tim Philo, a VSR with the Buffalo RO, stated that most of the Veterans he's worked with were receiving some VA benefits, but many were unaware that they could request an increase in benefits as service connected disabilities worsened. The VSRs also assist Veterans eligible for education and vocational rehabilitation and employment in accessing those benefits.

The success of the court can be seen in the number of Veterans who have successfully completed the program, as well as in the number currently enrolled. Currently 181 Veterans are enrolled in the Buffalo program, 40 have completed it, while only six have dropped out and are now in prison.

The success of Judge Russell's court in Buffalo led Judge Sarah

Smith to establish a similar court in Tulsa County, Oklahoma. And, in December 2008, the 14th Judicial District, Tulsa County Drug/DUI Court (TCDDC) established a Veteran Treatment Court to address the needs of Veterans who have entered their criminal justice system, and "give back to the people who have stood for us" according to Judge Sarah Smith⁵.

In the Tulsa court, Veterans must petition the court for enrollment in the program, and if accepted, must agree to comply with the recommended treatment, and sign releases to allow VA to share appropriate claim and treatment information with court staff. Depending on the charge and recommended treatment, the program can last from one to three years. Individual programs include substance abuse or mental health counseling, mandatory drug testing, probation supervision and regular status hearings in court. Participants are also assigned a mentor, who is a Veteran, to provide support while enrolled in the treatment program⁶.

An integral part of the Veteran Treatment Court in Tulsa is the Memorandum of Understanding (MOU) between the Muskogee VA Regional Office, Jack C. Montgomery VA Medical Center and the TCDDC. The MOU spells out the responsibilities of each

entity, ensuring that VA assists Veterans participating in the Veteran Treatment Court in obtaining all of the benefits for which they are eligible. It also recognizes that some Veterans will not be eligible for the programs they will need to address their mental health or substance abuse issues. In those cases, assistance from other community agencies is sought.

The Muskogee VARO's participation in the Veterans Treatment Court is critical to the Veteran's success. Staff from the RO, a Legal Administrative Specialist and the Public Contact Coach, attend court every Monday afternoon to provide Judge Smith and treatment staff with information on the benefits the Veteran is eligible for, and the status of any claims the Veteran may currently have pending. When a Veteran makes his or her initial appearance in court, RO staff conducts an interview to determine benefit eligibility. Claims information is taken at that time, if applicable, and identifying information is entered on a spreadsheet to track the claim throughout the process, aiding the staff in providing claim status updates at subsequent status hearings.

Veteran Treatment Courts are a positive development for the

Veteran community. They are by no means a "get out of jail free" card, but rather a holistic program designed to assist Veterans in putting their lives back together after witnessing the horrors of war. For more information on Veteran Treatment Courts visit www.nadcp.org/JusticeForVets.

Endnotes:

1. Russell, Hon. Robert T., *Veteran Treatment Courts Developing Throughout the Nation*. No Date.
2. Ibid
3. Buffalo Veteran's Court: *Mentoring and Veterans Hospital Program Policy and Procedure Manual*. No Date
4. Ibid
5. Braun, Bill. *Helping Veterans: Goal of Substance Abuse Court*. November 30, 2008. www.newson6.com
6. Ibid

States with Veterans Treatment Courts

Alabama	Minnesota
Alaska	Missouri
Arizona	Nevada
Arkansas	New York
California	Ohio
Colorado	Oklahoma
Georgia	Pennsylvania
Illinois	Texas
Louisiana	Washington
Michigan	Wisconsin

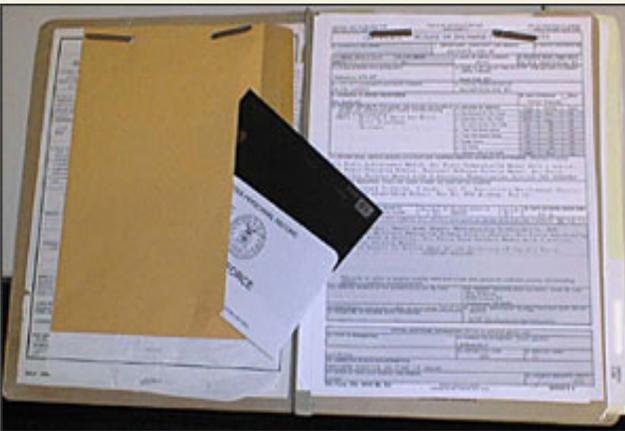
Replacing Important Documents

Where do you go?

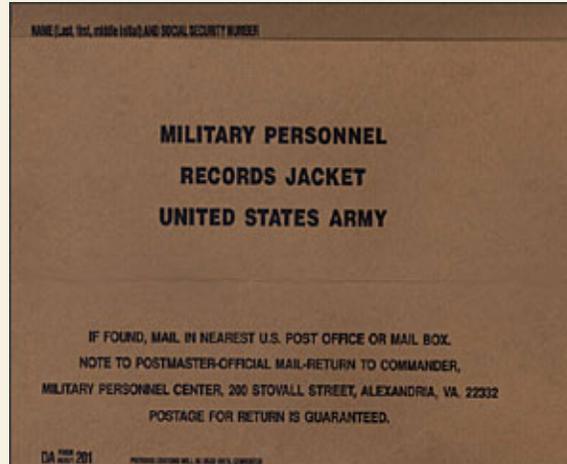
Do you know where your DD214 is? Most Veterans do, but sometimes documents seem to disappear, and when an important paper is lost, misplaced or destroyed, how do you replace it? Fortunately, for Veterans, it's getting easier to replace important documents, and you can do it with just the click of your computer's mouse.

The one place you need to be aware of when replacing documents is the National Archives and Records Administration (NARA) website, www.archives.gov/veterans/. Documents needed regarding prior military service are requested from NARA, who is the custodian for records housed at the National Personnel Records (NPRC) Center in St. Louis, Missouri.

One issue that has resulted in delays in obtaining records from the NPRC is the 1973 fire that destroyed approximately 16-18 million Official Military Personnel Files



(OMPF). A listing of the records destroyed in that fire is not available. NARA has determined that 80 percent of the records from Army personnel discharged November 1, 1912



through January 1, 1960, and 75 percent of the records from Air Force personnel discharged September 25, 1947 through January 1, 1964 (with names alphabetically after Hubbard, James E.) were affected. However, the NPRC can respond to records requests for affected records by reconstructing basic service information from other sources, these request just take a little longer to complete.

The NARA website has a page designed specifically for Veterans who want to replace missing documents. Documents from your OMPF are not available for downloading; they must be requested electronically through eVetRecs, or by fax or mail

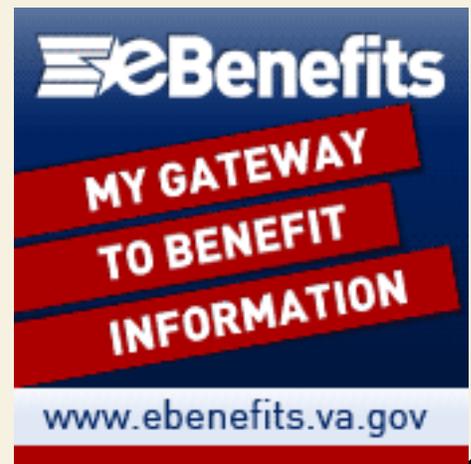
on a SF-180. Submission of a signature verification is required prior to the release of any records requested electronically. The verification can be either faxed or mailed to NARA.

Some military records, such as records of awards and decorations, ground combat operations, etc. are available online through NARA's website. You can access and download selected documents from the Revolutionary War period through the Vietnam Conflict Era from the comfort of your own home. NARA's website also offers helpful tips on how to conduct research, and if you happen to reside close to a NARA

location, you can attend classes on conducting your own research at their storage facilities. Having to replace important documents is never a fun process, but thanks to eVetRecs, it is getting just a little bit easier.



National Personnel Records Center, St. Louis, Missouri



DISABILITY BENEFITS QUESTIONNAIRES (DBQ)

The process for completing disability claims can be lengthy, demanding and sometimes a bit clumsy. Evidence is required from multiple sources, and once gathered must be sifted through to identify the relevant information. It is both time consuming and often frustrating for Veterans and employees alike.

Streamlining the claims process is a priority in VA, and the development of Disability Benefit Questionnaires (DBQ) is one way it is being revamped. The new DBQs assist physicians by giving them a comprehensive template for use during the exam. The forms are tailored to provide the information needed to determine a disability rating, as all of the information needed to rate each issue is found on one form. This innovation saves time for both the examining physician and the rater, adding up to a quicker decision time.

The idea for DBQs was an FY2010 Innovation Initiative competition winner submitted by Jack Hudson, Assistant Veterans Service Center Manager at the Pittsburgh Regional Office. The idea took its first tentative steps in 2001. With the addition of a new Agent Orange presumptive, diabetes, Jack was looking for a way to expedite what was sure to be a substantial increase in diabetes claims. He designed a template for rating diabetes claims that provided the information needed for the rating, but omitted information that was not germane to the rating process. The new template was a success; it was quickly adopted by several other regional offices. When the Innovative Initiative call came in the fall of 2009, Jack jumped at the opportunity to expand his earlier effort in streamlining the rating process.

This initiative has enjoyed support at all levels of VA since its inception, to include General Council, Board of Veteran Appeals, Disability Examination Management Office, and the Veterans Health Administration, not to mention the Veterans Benefits Administration where it all began. Initially, discussions were held via conference call, but early into the project it became clear that to gain the collaboration needed to maximize this concept the committee would have to meet in person.

Preliminary talks



yielded a solid concept and the forms began to take shape. To ensure the template provided all of the information needed to render a decision, and was not cluttered with extraneous information, Rating Veterans Service Representatives (RVSR) and Decision Review Officers (DRO) from across the country were consulted to hammer out the details. Meeting one week each month 82 DBQs were developed in six months time, each designed to assist both the physician and rater in expediting the claims process.

VBA approved the first three DBQs in October

2010, and the Department was granted emergency approval from the Office of Management and Budget (OMB) to release the forms. It's not by coincidence that the initial release included templates that cover the Agent Orange presumptives of ischemic heart disease, Parkinson's disease and B-cell leukemias. Bracing for a potential spike in claims, the new templates will provide some assistance in moving those claims through the process a bit more quickly.

The remaining 79 DBQs will take a little longer to be released. As mentioned earlier, the forms must be approved by OMB before VA can release them for use. The approval process includes two public comment periods, and the potential of having to revise and resubmit the forms to OMB. However, barring the need to revise, the next group of templates could be released for use as early as late February 2011.

The goal of this project is to reduce processing time by creating more user-friendly exam reports, and eventually replacing all of the current C&P exam templates with DBQs. Although it's too early to determine just how much time is being saved by using DBQs, VBA is confident that the changes implemented through their use will pay off in a more efficient process, getting Veterans the benefits they have earned in a more timely and efficient manner.



MY DAY AT ARLINGTON NATIONAL CEMETERY



Eternal Flame at Arlington National Cemetery

Today I met Judy Gibbons at her son's graveside at Arlington National Cemetery. She was there as a volunteer for the National Wreath Laying Ceremony. As we were waiting around for the next event to start we began talking about her son, Mark. She told me he was in the Coast Guard and how she likes to visit her son often at Arlington. She also told me that Mark's father was also buried there.



Judy Gibbons stands next to her son's grave. Her son served in the U.S Coast Guard

Standing at Mark's graveside you are drawn to the sea shells. Judy said she came down one day and the sea shells were there. She assumed one of Mark's friends put them there because he was in the Coast Guard. On her visits she always checks to make sure the shells are still in their rightful place and if they have fallen to the ground she finds them and places them back on the headstone. Thank you Judy for reminding me of why I do my job every day and for spending time with me and telling me your son's wonderful



Shells on Mark Gibbons's headstone.

story. And if you would like to visit Mark on your next visit to Arlington National Cemetery, he is in Section

33 just to the left of the walking path. He will be easy to find - just look for the sea shells - Tammy Hurley



Grave with wreath in Arlington National Cemetery

Wreaths Across America

Since its humble beginning in 1992, Wreaths Across America has become national in scope. Originally called the Arlington Wreath Project, the program began when the Worcester Wreath Company of Harrington, Maine found itself with excess wreaths at the end of the holiday season. Not wanting the wreaths to go to waste, Morrill Worcester, the company's president, decided to donate the wreaths to Arlington National Cemetery. Mr. Worcester felt he owed his success as a businessman to those who had fought for his freedom. This was his way of saying, "Thank you for your service."

The program has since grown into a national program and wreaths are provided to cemeteries in all 50 states, as well as to American cemeteries on foreign soils. For more information visit www.wreathscrossamerica.org

Did You Know . . . ?

New Outreach Initiative



The Department of Veteran Affairs (VA) is putting the final touches on a new outreach program targeting Veterans who separated from service with less than a high school diploma or equivalent. Working closely with the Department of Defense (DoD), the VA will receive listings with the names and contact information of Service members recently released from active duty that fall into this category.

Lists received from DoD will be sorted by Regional Office (RO) of jurisdiction, and each RO will receive monthly notification of Veterans in their area that qualify for this outreach. Regional Office outreach staff are required to make three attempts at contacting each Veteran on their respective lists and inform them of the VA benefits they may be eligible for. Contact must be made via the telephone or in-person. In addition, VA will send a copy of *Federal Benefits for Veterans, Dependents & Survivors* if the Veteran wishes.

Full implementation of this outreach program is scheduled to begin this January.

VBA Today is an official publication of the Veterans Benefits Administration. Opinions expressed in this publication do not necessarily represent that of the Veterans Benefits Administration

January 27th
Vietnam Peace Day

The United States and North Vietnam signed the Paris Peace Accords on January 27, 1973, marked the beginning of the end of the Vietnam War for America. A cease-fire took effect at midnight that night. The final



Le Duc Tho and Henry Kissinger agree to the Paris Peace Accords

withdrawal of U.S. troops occurred in May 1975.

The two countries agreed to a complete cessation of hostilities, withdrawal of all U.S. forces from South Vietnam, eventual reunification of Vietnam, release of all U.S. prisoners of war, and an international commission to oversee the peace.

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Wishing Everyone a Safe and Prosperous New Year!

810 Vermont Ave, N.W.
Washington, DC 20420

VETERANS
BENEFITS
ADMINISTRATION